

HONORABLE MARY ALICE THEILER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CARPENTERS HEALTH & SECURITY
TRUST OF WESTERN WASHINGTON, et
al.

Plaintiffs

v.

MARK T. McCOY, INC.,
dba MTM CONSTRUCTION

Defendant

NO. C05-0207-MAT

STIPULATION AND ORDER OF
DISMISSAL WITHOUT PREJUDICE

Clerk's Action Required

STIPULATION

Plaintiffs Carpenters Health and Security Trust of Western Washington, Carpenters of Western Washington Individual Account Pension Trust, Carpenters Retirement Trust Of Western Washington, Carpenters Vacation Trust of Western Washington, Carpenters-Employers Apprenticeship and Training Trust Fund of Western Washington, and Pacific Northwest Regional Council of Carpenters, and Defendant Mark T. McCoy, Inc., dba MTM Construction, stipulate that all claims against Defendant for fringe benefits contributions and wage deductions for April

STIP. & ORDER OF DISMISSAL
WITHOUT PREJUDICE—1
Case No. C05-0207-MAT

**Law Offices of
Mary L. Stoll**
Seattle Tower, Suite 1100 — 1218 Third Avenue
Seattle, WA 98101-3081
Telephone 206-623-2855
Fax 206-667-9805

2004 through February 2005, shall be dismissed without prejudice and without costs, as the matter is settled.

Dated November 9, 2005

s/ Mary L. Stoll

Mary L. Stoll, WSBA No. 16446
Attorney for Plaintiffs
LAW OFFICES OF MARY L. STOLL
Seattle Tower, Suite 1100
1218 Third Avenue
Seattle WA 98101-3081
Telephone 206-623-2855
Fax 206-667-9805
Email marys@mlstoll-law.com

Per telephone/facsimile/email approval received on November 9, 2005.
Approved as to form, notice of presentation waived.

s/ Ben D. Cushman

Ben D. Cushman, WSBA No. 26358
Attorney for Defendant
CUSHMAN LAW OFFICES, P.S.
924 Capitol Way South
Olympia WA 98501
Telephone 360-534-9183
Fax 360-956-9795
Email bencushman@cushmanlaw.com

///

///

///

STIP. & ORDER OF DISMISSAL
WITHOUT PREJUDICE—2
Case No. C05-0207-MAT

**Law Offices of
Mary L. Stoll**
Seattle Tower, Suite 1100 — 1218 Third Avenue
Seattle, WA 98101-3081
Telephone 206-623-2855
Fax 206-667-9805

ORDER

Based upon the foregoing stipulation, it is hereby

ORDERED that any and all claims against Defendant Mark T. McCoy, Inc., dba MTM Construction, for fringe benefits contributions and wage deductions for April 2004 through February 2005, are hereby dismissed without prejudice and without costs.

Dated this 10th day of November, 2005

s/ Mary Alice Theiler
UNITED STATES MAGISTRATE COURT JUDGE

Presented by:

s/ Mary L. Stoll
Mary L. Stoll, WSBA No. 16446
Attorney for Plaintiffs
LAW OFFICES OF MARY L. STOLL
Seattle Tower, Suite 1100
1218 Third Avenue
Seattle WA 98101-3081
Telephone 206-623-2855
Fax 206-667-9805
Email marys@mlstoll-law.com

STIP. & ORDER OF DISMISSAL
WITHOUT PREJUDICE—3
Case No. C05-0207-MAT

**Law Offices of
Mary L. Stoll**
Seattle Tower, Suite 1100 — 1218 Third Avenue
Seattle, WA 98101-3081
Telephone 206-623-2855
Fax 206-667-9805

1 Per telephone/facsimile/email approval received on November 9, 2005.
2 Approved as to form, notice of presentation waived.

3 s/ Ben D. Cushman

4 Ben D. Cushman, WSBA No. 26358
5 Attorney for Defendant
6 CUSHMAN LAW OFFICES, P.S.
7 924 Capitol Way South
8 Olympia WA 98501
9 Telephone 360-534-9183
10 Fax 360-956-9795
11 Email bencushman@cushmanlaw.com
12
13
14
15
16
17
18
19
20
21
22

STIP. & ORDER OF DISMISSAL
WITHOUT PREJUDICE—4
Case No. C05-0207-MAT

Law Offices of
Mary L. Stoll
Seattle Tower, Suite 1100 — 1218 Third Avenue
Seattle, WA 98101-3081
Telephone 206-623-2855
Fax 206-667-9805